

PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 5.5 zone to an BL zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

MAP NW 26
36
E.D. 94
DATE 2-7-88
200 BF
1000 X
DP

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:

Legal Owner(s):

Robert L. Barney

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

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IN THE MATTER OF
THE APPLICATION OF
ROBERT L. BARNEY, ET UX
FOR ZONING RECLASSIFICATION
FROM D.R. 5.5 TO B.L.
SE CORNER OF FALLS ROAD
AND HOLLINS LANE
9th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. R-87-96

ORDER FOR DISMISSAL

Petition of Robert L. Barney, et ux for zoning reclassification from D.R. 5.5 to B.L. on property located on the southeast corner of Falls Road and Hollins Lane in the 9th Election District, 4th Councilmanic District of Baltimore County; and

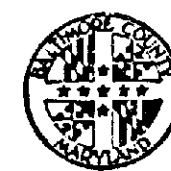
WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of petition filed March 12, 1987 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above-entitled matter; and

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be withdrawn and dismissed as of March 12, 1987,

IT IS HEREBY ORDERED this 16th day of December, 1987 that said petition be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman
Thomas J. Bollinger
Lawrence E. Schmidt



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

December 16, 1987

James R. Farmer, Esquire
TURNBULL, MIX & FARMER
706 Washington Avenue
Towson, MD 21204

Re: Case No. R-87-94
Robert L. Barney, et ux

Dear Mr. Farmer:

Enclosed is a copy of the Order for Dismissal passed today by the County Board of Appeals in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Mr. & Mrs. Robert L. Barney
Kenneth F. Davies, Esquire
James Earl Kraft
Norman E. Gerber
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Robyn Clark
Arnold Jablon, County Attorney

LAW OFFICES
TURNBULL, MIX & FARMER

706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

October 7, 1986

William T. Hackett, Chairman
County Board of Appeals
Court House
Towson, Maryland 21204

HAND DELIVERED

RE: Petition for Zoning Reclassification
Robert L. Barney, et ux - Petitioners

Dear Mr. Hackett:

As you are well aware, this office represents Mr. and Mrs. Robert L. Barney in reference to the above captioned matter, and a hearing is currently scheduled for Thursday, October 9, 1986 at 10:00 a.m.

Unfortunately, Mr. Turnbull, who was handling this matter on behalf of the Barneys, was appointed to the Circuit Court for Baltimore County and for some reason, your Notice of Hearing was not put on my trial calendar. I am not familiar with this case, and therefore, would respectfully request a brief continuance.

I was just contacted this morning by Deputy People's Counsel for Baltimore County, Peter Max Zimmerman, regarding this matter, and this was my first knowledge that a hearing was scheduled. Mr. Zimmerman understands my situation, and would not object to a continuance at this time.

I am writing this letter without discussing same with the Barneys, but thought it best to contact you immediately rather than wait.

Thank you in advance for your anticipated help and cooperation and should you have any questions, please do not hesitate to contact me.

Very truly yours,
TURNBULL, MIX & FARMER

James R. Farmer

JRF/dm

cc: Peter Max Zimmerman, Esquire

ROBERT T. GONZALES
ATTORNEY AT LAW
11 EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202-1079

September 16, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

Re: R-87-96 (Item 10 Cycle3)
Robert L. Barney, Petitioner

Gentlemen:

On behalf of Lois and Philip Macht, the owners of the property known as No. 6140 Barroll Road, Baltimore County, Maryland, I am writing to object to a change in the zoning on the 1.5 acre property at the southeast corner of Falls Road and Hollins Lane, and to uphold the recommendations of the Planning Board.

As you are aware, the current zoning is D.R. 5.5. An examination of the immediate area will confirm that it is residential in nature and has been so for many years. A change in zoning, allowing commercial development of this property, would in no way serve the community and would, in fact, be detrimental to the residential character of the neighborhood.

Therefore, on behalf of the owners, please consider this letter a formal objection to the change when considering the matter on October 9, 1986. I would be happy to attend this hearing if you feel it is necessary to speak against any change. Please contact me if you have any questions.

Very truly yours,
Robert T. Gonzales

RECEIVED
COUNTY BOARD OF APPEALS
SEP 17 11 05 AM '86

GEORGE W. CONSTABLE
READ MCCAFFREY
C. GORDON HAINES
THOMAS F. CONNER, 3rd
R. MCEVOY CROWELL
JOHN A. SCALDARA
JOHN CREYNAL POWELL, JR.
MICHAEL J. ABRAHAMIS
JAMES W. CONSTABLE
DAVID W. BREEN
MICHAEL C. WARLOW
FRANK THOMAS HOWARD
JAMES D. BREEN
MARTIN L. B. AND MARYLAND

WRIGHT, CONSTABLE & SKEEN

ATTORNEYS AT LAW
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MD 21201
(301) 539-3541
TELEX 710 234-2483 CALDAS

ELKTON OFFICE
135 E. MAIN ST.
ELKTON, MD 21921
(301) 398-1844

July 22, 1986

Mr. William Hackett
Baltimore County
Board of Appeals
Courthouse
Towson, Maryland 21204

Re: Zoning Reclassification Petitions
Cycle III-1986
Item Nos. 10 and 11

Dear Mr. Hackett:

I represent the Ruxton-Riderwood-Lake Roland Area Improvement Association whose representatives appeared and testified in opposition to the above-referenced Zoning Reclassification Petitions before the Baltimore County Planning Board. It is my understanding that the hearing on these items are to be scheduled between October 6-19, 1986.

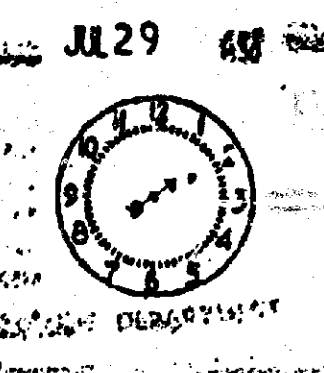
Kindly enter the appearance of the undersigned in these proceedings and direct all notices and correspondence to my attention. Please let me know if there are any additional requirements in order for my client to be heard at the hearing on these matters.

Very truly yours,

Kenneth F. Davies

KFD/pnp

CHRISTOPHER J. RUSSO, JR.
STEPHEN F. WHITE
BRIAN S. GOODMAN
ROBERT W. EMERSON
RICHARD M. BASKETT
STEPHEN R. KAUFMAN
KENNETH F. DAVIES
OF COUNSEL
JOHN D. ALEXANDER
EMMA S. ROBERTSON
GEORGE H. DOWELL
WILLIAM A. BREEN
JOSEPH T. CHADWICK, JR.
WM. PEPER CONSTABLE
1888-1878
JOHN D. WRIGHT
1903-1978



RECEIVED
COUNTY BOARD OF APPEALS
SEP 24 4 45 PM '86

LAW OFFICES
TURNBULL, MIX & FARMER

706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

JOHN ORSON TURNBULL, II
O. WARREN MIX
JAMES R. FARMER
DOUGLAS T. SACHSE

(301) 494-3180
(301) 494-3187

JOHN ORSON TURNBULL
(301) 494-3180
(301) 494-3187

February 27, 1986

Board of Appeals
Court House
Towson, Maryland 21204

Re: Property of Lenis Barney, et al
Councilmanic District
Election District

Gentlemen:

The property owner has filed a request that her tract of land, be rezoned from DR 5.5 to BL.

The property presently consists of two apartments, is situated in an area of Falls Road that is generally commercialized in nature and there is an office building in close proximity and other commercial uses which would be compatible with the subject property being rezoned BL.

The area is no longer appropriate for this particular apartment use and the changes in the area along with the other uses, require that the zoning be changed to BL.

Respectfully submitted,

John Orson Turnbull, II
Attorney for Lenis Barney, et al

JGT/jh

LAW OFFICES
TURNBULL, MIX & FARMER

706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

O. WARREN MIX
JAMES R. FARMER
DOUGLAS T. SACHSE

(301) 494-3180
(301) 494-3187

JOHN ORSON TURNBULL
(301) 494-3180
(301) 494-3187

March 9, 1987

Baltimore County Board of Appeals
Court House
Towson, Maryland 21204

ATTENTION: William T. Hackett, Chairman

RE: Petition for Zoning Reclassification
Case No. R-87-96

Dear Mr. Hackett:

As your file will reflect, this office represents Mrs. Lenis D. Barney in reference to the above captioned matter.

I had requested a continuance of this case back in October, and for some reason did not follow up with your office to formally dismiss the Petition.

I have been in touch with Mrs. Barney and discussed with her at length the problems with her request for reclassification and it was decided that it would be in her best interest to dismiss the Petition. Therefore, I would appreciate your accepting this letter as formal notice on behalf of Mrs. Barney dismissing this matter.

By copy of this letter I am advising all interested parties of our decision to dismiss the Petition on behalf of Mrs. Barney.

Thank you for your cooperation in this matter and should you have any questions, please do not hesitate to contact me.

Very truly yours,
TURNBULL, MIX & FARMER

James R. Farmer

JRF/dm

cc: Kenneth F. Davies, Esquire
Marie Cook, President,
Barehills Community Association
People's Counsel for Baltimore County
Mrs. Lenis D. Barney

RECEIVED
COUNTY BOARD OF APPEALS
MAR 12 12 25 PM '87

IN THE MATTER OF THE PETITION
FOR ZONING RECLASSIFICATION
FROM D.R. 5.5 TO B.L. ZONE
SE Corner of Falls Rd. and
Hollins Lane, 9th District
: BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
: Case No. R-87-96 (Item 10, Cycle III)
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of August, 1986, a
copy of the foregoing Entry of Appearance was mailed to John Grason
Turnbull, II, 706 Washington Ave., Towson, MD 21204, Attorney for
Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ROBERT L. BARNEY, ET UX #R-87-96
SE corner of Falls Road and
Hollins Lane Item #10, Cycle III, 1986
9th District
DR 5.5 to B.L. 1.5 acres

Feb. 28, 1986 Petition filed

John Grason Turnbull, II, Esquire
John Grason Turnbull, II, Esquire
706 Washington Ave. (21204)
Counsel for Petitioners

Robert L. Barney, et ux
560 Quaker Bottom Road
Sparks, MD 21152
Petitioners

James Earl Kraft
Baltimore County Board of Education
21204 Hollins Road (21204)
People's Counsel

Phyllis Cole Friedman
People's Counsel

Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

Kenneth F. Davies, Esq.
Sun Life Building
Charles Center (21201)
Counsel for Protestants
(Ruxton-Riderwood-Lake Roland
Area Improvement Assn.)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: September 25, 1986
Posted for: Reclassification
Petitioner: Robert L. Barney, et ux
Location of property: SE cor. of Falls Rd. and Hollins Ln.
Location of Sign: In front of 4123 Falls Road
Remarks: _____
Posted by: A. J. Jablon Date of return: October 3, 1986
Number of Signs: 1

A. L. Snyder
1911 Harwood Pike
Hampstead, Maryland 21074
(301) 289-7744 (301) 333-5791

Description to accompany Zoning Petition

Beginning for the same in the center of Falls Road, where the
same is intersected by the centerline of Hollins Lane, and run-
ning thence:

- 1.) N 63° 15' E 293.48 feet, thence,
- 2.) S 13° 45' E 250.33 feet, thence,
- 3.) S 69° 30' W 134.82 feet, thence,
- 4.) N 20° 30' W 16.00 feet, thence,
- 5.) S 69° 30' W 17.00 feet, thence,
- 6.) N 20° 30' W 42.00 feet, thence,
- 7.) S 77° 30' W 158.00 feet, thence,
- 8.) N 3° W 158.95 feet, to the place of beginning.

Containing 1.5 acres of land more or less.

Being all that land which was conveyed by Carolyn Kling
Preston, to Robert L. Barney, and Lenia D. Barney, his wife,
by deed dated October 15, 1973, and recorded among the Land
Records of Baltimore County, Maryland, in Liber E.H.K.Jr.
5402 folio 490 etc.

MEMBER: Md. Soc. of Surveyors • W. Va. Assoc. of Land Surveyors • A.C.S.M. • C.C.A.S.E.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 17, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in the TOWSON TIMES, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
September 17, 1986.

TOWSON TIMES,

Susan Lewis Obrecht
Publisher

51.00



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 23, 1987
SECOND BILL

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins Ln.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

This is to advise you that \$320.71 is due for
advertising and posting of the above property. This fee must be
paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND
POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE.

Please make your check payable to "Baltimore County, Maryland"
and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113,
County Office Building, Towson, Maryland 21204.

Very truly yours,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:med

c.c. Mr. William T. Hackett
Chairman
Board of Appeals for Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 3, 1986

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins Ln.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

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and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST
RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF
THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland"
and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113,
County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 12/28/86 ACCOUNT: 01-615-000

AMOUNT: 100.00

RECEIVED BY: Hunt Valley Antiques

FOR: Reclass Falls Rd. Hollins

NO. 01-615-000

VALIDATION OR SIGNATURE OF CASHIER

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

August 27, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins Ln.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

TIME: 10:00 a.m.

DATE: Thursday, October 9, 1986 - Case continued in open hearing - see letter

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

Witnessed

c.c.s. Mr. Robert L. Barney
Mrs. Lenia D. Barney
560 Quaker Bottom Road
Sparks, Maryland 21152
Ms. Marie Cooke
President
Rare Hills Community Association
Baltimore, Maryland 21209

Kenneth F. Davies, Esquire
Wright, Constable & Sken
Sun Life Building
Charles Center
Baltimore, Maryland 21201

People's Counsel of Baltimore County

P.S. TO MR. TURNBULL:

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE BALTIMORE ZONING
OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY
A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST
RETURNED TO THE ZONING OFFICE, ROOM 113, COUNTY OFFICE BUILDING, 111 WEST
CHESAPEAKE AVENUE, TOWSON, MARYLAND ON THE DAY OF THE HEARING OR THE ORDER
WILL NOT BE ISSUED.

W.T.H.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 18, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
September 18, 1986.

THE JEFFERSONIAN,

Susan Lewis Obrecht
Publisher

Cost of Advertising

27.50

PETITION FOR
RECLASSIFICATION
Case No. R-87-96
LOCATION: Southeast Corner of
Falls Road and Hollins Lane
PUBLIC HEARING: September 18, 1986, at 10:00 a.m.
The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing on the petition for reclassification of the above property from D.R. 5.5 to B.L. Zone.
All the parcels of land in the 9th Election District, within the County of Baltimore, which are the subject of the petition, shall be the subject of the hearing.
1. N 63° 15' E 293.48 feet, thence
2. S 13° 45' E 250.33 feet, thence
3. S 69° 30' W 134.82 feet, thence
4. N 20° 30' W 16.00 feet, thence
5. S 69° 30' W 17.00 feet, thence
6. N 20° 30' W 42.00 feet, thence
7. S 77° 30' W 158.00 feet, thence
8. N 3° W 158.95 feet, to the place of beginning.
Containing 1.5 acres of land, more or less.
Being all that land which was conveyed by Carolyn Kling Preston, to Robert L. Barney, and Lenia D. Barney, his wife, by deed dated October 15, 1973, and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K.Jr., 5402 folio 490 etc.
By Order of the Board of Appeals
William T. Hackett, Chairman
County Board of Appeals
September 18, 1986

AUG 12 1986



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins La.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

**BREAKDOWN OF ADVERTISING
AND POSTING COSTS**

\$227.21	Due for full page ads share
78.50	Due for individual case advertisements
15.00	Due for 1 sign posted on property
\$320.71	GRAND TOTAL DUE

Prepared by Margaret E. du Bois, Zoning Office
on February 27, 1987



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 3, 1986

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins La.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

This is to advise you that \$320.71 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 23, 1987

SECOND BILL

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins La.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

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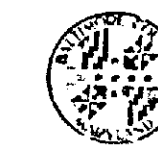
Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204.

Very truly yours,

ARNOLD JABLON
Zoning Commissioner

AJ:med

c.c. Mr. William T. Hackett
Chairman
Board of Appeals for Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
493-4500

PAUL H. REYNOLDS
CHIEF

May 13, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: William Hackett
Chairman, County Board of Appeals

RE: Property Owner: Robert L. Barney, et ux
Location: SE/cor. of Falls Rd. and Hollins La.

Item No.: 10 Zoning Agenda: Cycle III
4/86 - 10/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

APRIL 22, 1986

Re: Zoning Advisory Meeting of CYCLE III - RECLASS.
Item - 10 - CYCLE III
Proposed Owner: ROBERT L. BARNEY, et ux
Location: SE/cor. of FALLS RD. & HOLLINS LA.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment, AT THIS TIME.
- () A County Review Group Meeting is required.
- () A City Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by 8111 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "T" level intersection as defined by 8111 175-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

(X) Additional comments:
SUBJECT PROPERTY IS REZONED, ANY FUTURE DEVELOPMENT MUST MEET THE REQUIREMENTS OF BILL 850-62 "THE DEVELOPMENT REGULATORY ACT"

cc: James Howell

Eugene A. Ober
Chief, Current Planning and Development



Maryland Department of Transportation
State Highway Administration

William K. Holmann
Secretary
Hal Kassoff
Administrator

May 6, 1986

Mr. William Hackett
Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Item #10
Property Owner: Robert L. Barney, et ux
Location: SE/cor. of Falls Road (Route 25) and Hollins La.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5
District: 9th

ATT: James Dyer

Dear Mr. Dyer:

On review of the submittal of 2/27/86, to accompany the Zoning Petition for the "Barney Property" the S.H.A. Bureau of Engineering Access Permits will require the developer and or owner to provide access improvements by way of Falls Road or the Hollins Lane intersection through S.H.A. Permit with the posting of a bond or Letter of Credit to guarantee construction.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle

My telephone number is 301-659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 7171707 North Calvert St., Baltimore, Maryland 21205 - 0717

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 1, 1986

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

ooo

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: Item No. 10 - Cycle No. III
Petitioner: Robert L. Barney, et ux
Reclassification Petition

Dear Mr. Turnbull:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April-October reclassification cycle (Cycle III). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before October 8, 1986. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

Page Two
Item No. 10, Cycle III
October 1, 1986

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb (MS018)

Enclosures

cc: A.L. Snyder, Surveyor
1911 Hanover Pike
Hampstead, Maryland 21155

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Michael Moran, Esquire
Assistant County Attorney Date: August 11, 1987

FROM: Margaret E. du Bois
Zoning Office (X3394)

SUBJECT: COLLECTION OF ADVERTISING & POSTING COSTS RE
RECLASSIFICATION CASE #R-87-96

I am again attaching copies of all correspondence and/or pleadings which I furnished you previously with respect to the above-captioned matter on February 27, 1987 and March 19, 1987.

Can you please advise both me and the Board of Appeals what the status is re collection efforts on this matter. Thank you.

Enclosures

cc: Mr. William T. Hackett
Chairman, Board of Appeals

RECEIVED
COUNTY BOARD OF APPEALS
AUG 11 1987

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Malcolm F. Spicer, Jr., Esquire
County Attorney Date: March 19, 1987

FROM: Arnold Jablon
Zoning Commissioner

SUBJECT: PETITION FOR RECLASSIFICATION - CASE NO. R-87-96

Enclosed for your records is a copy of a letter directed to the Board of Appeals by James R. Farmer, Esquire, dated March 9, 1987, concerning this matter.

If you have any questions or comments regarding same, please feel free to give Ms. du Bois a call (X3394).

AJ:med
Enclosure

c.c. Mr. William T. Hackett, Chairman
Board of Appeals for Baltimore County

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William F. Hackett - Chairman
Appeals Board Date: June 24, 1986

FROM: Charles E. "Ted" Burnham
Plans Review Chief, Department of Permits & Licenses

SUBJECT: April - October 1986 - Zoning Classification - Cycle III

Item # 10 Property Owner: Robert L. Barney, et ux
Contract Purchaser:
Location: SE/Cor. of Falls Road and Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5 Acres
District: 9th Election District

Should any of the current residential structures be proposed for use for commercial purposes, Section 103.2 and Section 505 shall be applicable. Other Code Sections which might be applicable would be determined by the applicant's Architect or Engineer registered in Maryland, prior to filing a permit application and by this department on receipt of the application and plans.

CEB/vw



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 19, 1986

Mr. William Hackett, Chairman
Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Cycle III April 1986
Item No. 10
Property Owner: Robert L. Barney, et ux
Location: SE/Cor. of Falls Rd. and Hollins La.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5 acres
District: 9th Election District

Dear Mr. Hackett:

The present D.R. 5.5 zoning can be expected to generate approximately 85 trips per day, and the proposed B.L. zoning can be expected to generate approximately 750 trips per day.

Road improvements will be required with any development of this site.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

RECEIVED
COUNTY BOARD OF APPEALS
FEB 27 P 207

AJ:med
Enclosures

cc: Mr. William T. Hackett, Chairman
Board of Appeals for
Baltimore County

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Margaret duBois
Zoning Office Date: September 3, 1987

FROM: Office of Law

SUBJECT: Robert L. Barney, et al
Collection of Advertising,
and Posting Costs
Reclassification Case No. R-87-96

Attached is a Complaint to be filed with the District Court for Baltimore County in the above captioned matter.

Please have the Zoning Commissioner sign the Affidavit and return same to this office. Upon receipt of the signed Affidavit this office will promptly file this Complaint with the District Court.

Harry A. Butanis
Assistant County Attorney

BAB/lbf

cc: William T. Hackett
Chairman, Board of Appeals

RECEIVED
SEP 11 1987
ZONING OFFICE

CPS-008

LAW OFFICES
TURNBULL, MIX & FARMER
700 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

JOHN GRASON TURNBULL, II
JOHN WARREN MIX
JAMES L. FARMER
NICHOLAS T. BACHRE

(301) 988-0700
(301) 925-1017

JOHN GRASON TURNBULL
(1800-1084)

February 27, 1986

Board of Appeals
Court House
Towson, Maryland 21204

Re: Property of Lenis Barney, et al
Councilmanic District
Election District

Gentlemen:

The property owner has filed a request that her tract of land, be rezoned from DR 5.5 to BL.

The property presently consists of two apartments, is situate in an area of Falls Road that is generally commercialized in nature and there is an office building in close proximity and other commercial uses which would be compatible with the subject property being rezoned BL.

The area is no longer appropriate for this particular apartment use and the changes in the area along with the other uses, require that the zoning be changed to BL.

Respectfully submitted,

John Grason Turnbull, II
Attorney for Lenis Barney, et al

JGT/jh

WRIGHT, CONSTABLE & SKEEN

ATTORNEYS AT LAW
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MD 21201
(301) 539-5541
TELEX 710 234-2483 CALDAS

ELKTON OFFICE
138 E. MAIN ST.
ELKTON, MD 21921
(301) 398-1844

July 22, 1986

Mr. William Hackett
Baltimore County
Board of Appeals
Courthouse
Towson, Maryland 21204

Re: Zoning Reclassification Petitions
Cycle III-1986
Item Nos. 10 and 11

Dear Mr. Hackett:

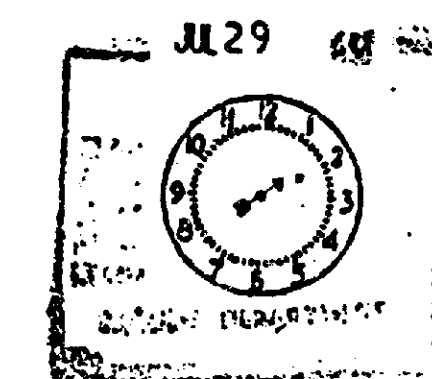
I represent the Ruxton-Riderwood-Lake Roland Area Improvement Association whose representatives appeared and testified in opposition to the above-referenced Zoning Reclassification Petitions before the Baltimore County Planning Board. It is my understanding that the hearing on these items are to be scheduled between October 6-19, 1986.

Kindly enter the appearance of the undersigned in these proceedings and direct all notices and correspondence to my attention. Please let me know if there are any additional requirements in order for my client to be heard at the hearing on these matters.

Very truly yours,

Kenneth F. Davies

KFD/pnp



RECEIVED
COUNTY BOARD OF APPEALS
FEB 24 A 9 52

AUG 10 1986

FRIENDS OF THE ROBERT E. LEE MEMORIAL PARK
912 Rolandvue Road, Baltimore, Maryland 21204
301-837-6657

September 25, 1986

The Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

Re: #R-87-96
Robert L. Barney, Petitioner

Dear Ladies and Gentlemen:

The Board of Directors of The Friends of the Robert E. Lee Memorial Park wishes to register its opposition to Case #R-87-96, a petition to rezone the 1.5 acre lot at 6123 Falls Road from DR 5.5 to BL.

The Friends of the Robert E. Lee Memorial Park is an independent community group whose purpose is to support the City of Baltimore in its management of the park's 600 acres. The group was founded in 1983, and membership consists of approximately 350 families.

Occasionally the Board of Directors is confronted with a situation which is potentially damaging to the future of the park. It is the view of this Board that the rezoning of the above lot would be incompatible with park usage and in addition, could initiate a series of similar petitions. As Falls Road forms much of the park's western boundary, potential commercial development of this corridor is directly related to the future of the park.

For the reasons cited above, the Board of Directors has voted to oppose Case # R-87-96.

Sincerely yours,

J. B. Lawrence
Jane S. B. Lawrence

Louise H. Hildreth
Louise H. Hildreth
Co-Chairmen
Friends of Robert E. Lee
Memorial Park

Rec'd. 10/2/86
J. Holman

THE ROLAND PROTECTIVE ASSOCIATION
6141 Barroll Road
Baltimore, Maryland 21209

October 9, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: Property of Robert L. and Lenis D. Barney
6123 Falls Road, Baltimore County
S. E. Cor. Falls Road (Rt. 25) and Hollins Lane
Existing Zoning: D.R. 5.5; Proposed Zoning: B.L.
Acres: 1.5; District: 9th

Dear Ladies and Gentlemen:

As a continuous resident for over forty years, I speak for the Hollins Lane-Barroll Road neighborhood. Our group is called The Lake Roland Protective Association and our goal is to improve and protect the residential quality of living in this area. All of the residents without exception have striven to promote responsible zoning and worked very hard to preserve and beautify our properties. We have been very successful in achieving this goal, and it is my pleasure to invite you to make an inspection tour of Hollins Lane and Barroll Road to verify the accuracy of my statement. In this regard and considering the old saying that a picture is worth a thousand words, I have a copy of Baltimore Magazine for April, 1986. On page 127 there are photographs of the back yard of a resident who is here with us today from Hollins Lane. A quick glance at these photographs will, I think, say more than I could say in an hour of the Board of Appeals' valuable time.

The sole means of entrance to our homes on Barroll Road and Hollins Lane from the Falls Road, as well as exit from, is precisely at the junction designated as Case #R-87-96 - Item 10 - Cycle 3 in which Robert L. Barney petitions for a change in zoning from residential to commercial.

In our judgment, this petition, if approved, would be disastrous to our carefully developed residential neighborhood. It would also be a setback for the Baltimore County Master Plan for zoning - 1979-1990. The Lake Roland Protective Association strongly opposes this petition.

Sincerely,

Edward Davens
Edward Davens
President

ED:edp

Rec'd. 10/2/86
J. Holman

6137 Barroll Road
Baltimore, Maryland 21209
September 24, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: #R-87-96
Robert L. Barney, Petitioner

Dear Ladies and Gentlemen,

In writing this letter, we would like to register our strong opposition to Petition #R-87-96 which seeks the rezoning of a 1.5 acre tract at 6123 Falls Road (from DR 5.5 to BL).

As area residents for eighteen years, we have watched the residential character of this neighborhood grow stronger and more secure. Handsome older houses have been bought and restored, new houses have been built, and the historic ties uniting Falls Road families, both black and white, have been strengthened. This segment of Falls Road, including the adjoining streets of Hollins Lane, Barroll Road, Gardman Avenue, Walnut Lane and Copper Hill Road, has become a unique residential area with an affectionate and respectful public following. Currently, five Associations are working to secure and perpetuate its low density residential character.

The rezoning of the Barney property would allow the introduction of "strip" or "spot" commercial zoning into this unique area. The County Master Plan counsels against this random type of commercial zoning. The rationale for this lies first in the inappropriateness of this type of zoning, and secondly in its potential to effect further destructive change. The properties to the north, east, south and west of the Barney acreage are all zoned residential. The intrusion of commercial zoning would undermine an exemplary residential area and decades of community effort.

Sincerely yours,

J. B. Lawrence
Jane S. B. Lawrence

James Lawrence III
James Lawrence III, M. D.

/dp

Rec'd. 10/2/86
J. Holman

5 October, 1986

Dear Members of the Appeals Board:

I write to you as a resident of the neighborhood affected by Case #R-87-96 (Item 10, Cycle 3) Property of Robert L. and Lenis D. Barney 6123 Falls Road, Baltimore County S.E. Cor. Falls Rd. (Rt. 25) & Hollins Lane Existing Zoning: DR 5.5 Proposed Zoning: BL Acres 1.5 9th District.5

The proposed rezoning of this property, from "residential" to "commercial" (from D.R. 5.5 to BL) would place terrible stress on the varied and historic neighborhoods of which we are so proud on Falls Road. Five local neighborhood associations are opposed: the Buxton-Riderwood-Lake Roland Area Improvement Association, Association, and The Bare Hills Community Association. Also on record as opposed is the board of directors of Friends of the Robert E. Lee Park.

The Barneys' lawyer has claimed that this property "is situated in an area of Falls Road which is generally commercialized in nature." In fact, the opposite is true. The Barney property is surrounded by residential zoning; it is not part of the commercially zoned area; it does not even abut that area. The granting of BL zoning for the Barney property would allow commercialization, for the first time, to leapfrog into the residential community.

I understand that the County Planning Board is on record as being against "strip zoning" -- this would be a classic case of another Reisterstown Road, York Road, Belair Road, Liberty Road (etc.) driving out long-standing residents. Responsible developers have done so much to keep Falls Road a viable balance of residential/commercial -- Martin Azola's careful, handsome restoration of the Rockland Mill houses (residential) and the old grist mill (commercial) are a splendid example (at Falls Road and Old Court Road). But Falls Road is also vulnerable to irresponsible, unsightly development. Rezoning the Barney property would do irreversible damage to our community.

Sincerely,

Sarah Fenno Lord
Sarah Fenno Lord
6219 Falls Road, 21209

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: December 4, 1987
FROM: Office Of Law
SUBJECT: Advertising and Posting Cost
Reclassification Case# R-87-96
Robert and Lenis Barney
Amt. Of Cost: \$320.71

Attached is check No. 608 dated November 22, 1987, in the amount of \$320.71, submitted as full payment of costs in the above captioned case for zoning reclassification.

I am closing my file on this matter as of this date.

Barry A. Butanis
Barry A. Butanis
Assistant County Attorney

BAB/wjr

cc: William T. Hackett, Chairman
Board Of Appeal

Enclosure:

Rec'd
12/7/87
M. C. du Bois

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Barry A. Butanis, Esquire Date: September 11, 1987
Assistant County Attorney
Margaret E. du Bois
Zoning Office
FROM: Dr. Vernon Martens
SUBJECT: Amount Due: \$419.08, Case No. R-87-95
Zoning Reclassification Costs
Amount Due: \$320.71
Case No. R-87-96

Enclosed are the Complaints with respect to the above-entitled matters. Zoning Commissioner Haines has signed them as of this date. Please take care of filing them with the District Court. Thank you.

Hauck Anthony Companies

September 19, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: Case # R-87-96 (Item 10 Cycle 3)
6123 Falls Road
Existing Zoning: DR.5
Proposed Zoning: B.L.

Dear Sirs,

We wish to register officially with the Board that we strongly oppose the proposed zoning sought by Robert L. and Lenis D. Barney for their property, 1.5 acres at the Southeast corner of Falls Road and Hollins Lane.

The grounds for our opposition are simply these. First and foremost, the area in question is a low-density residential neighborhood.

Secondly, Hollins Lane is a dead end street. We who live on the lane in addition to the residents of Barrole Road have only one exit to Falls Road. A commercial property at our corner would dangerously impede our access with unnecessary traffic.

Thirdly, we wish to preserve the charm and harmony of this lovely stretch of road from the bridge north to Bare Hills Road. The Barneys have allowed their rental property to fall into disrepair, and for those of us that must pass it daily, it is a real eyesore.

It alarms us that such "neighbors" who purchase property merely for speculation could be allowed to destroy our cherished neighborhood for monetary gain.

This rezoning proposed is the ultimate example of "spot" zoning in our opinions.

Yours truly,

Sally S. Anthony
Sally S. Anthony
F. Lee Anthony
1118 Hollins Lane
Baltimore, Maryland 21209

Rec'd. 10/2/86
J. Holman
Management Corporation, Inc. • H & A Enterprises, Inc. • H & A Venture Capital, Inc. • TPI, Ltd. • H & A Consulting, Inc.
Management Corporation Services, Inc. • H & A Financial Services, Inc. • Prime Time, Inc.

September 22, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

Re: Case #R-87-96 (Item 10 Cycle 3)
Robert L. Barney Petitioner
6123 Falls Road, Baltimore County 21209
S.E. Corner Falls Road (Rte 25) and Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5 District 9th

Dear Sirs:

We have been residents of Hollins Lane in Lake Roland for the past four years and have enjoyed its peaceful park-like setting. When looking for a house four years ago, we were immediately attracted to the unique country setting and convenient location of Hollins Lane and the surrounding Falls Road area.

Learning of the Barney proposal to change the zoning of the southeast corner of Hollins Lane and Falls Road from the current residential zoning (D.R. 5.5) to commercial zoning greatly concerns us. If this proposal is passed it will unfavorably alter the pleasant residential community in which we live. The result would be a commercial piece of property in the midst of a residential community.

We strongly support the planning board recommendation to retain the existing residential zoning (D.R. 5.5) for the Barney property.

Thank you for your careful consideration.

Sincerely,

Margaret Constantine
Dr. and Mrs. Niel T. Constantine
1117 Hollins Lane
Baltimore, Maryland 21209
(301)-823-3325

Rec'd. 10/2/86
J. Holman

BARE HILLS COMMUNITY ASSOCIATION
6222 Falls Road
Baltimore, Md. 21209

September 9, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Md. 21204

Re: Case #R-87-96 (Item 10 Cycle 3)
Property of Robert L. & Lenis D. Barney
6123 Falls Road, Baltimore County 21209
S.E. Cor. Falls Road (Rte 25) and Hollins Lane
Existing Zoning: DR5.5
Proposed Zoning: B.L.
Acres: 1.5 District 9th

Dear Sirs:
Unfortunately I will be unable to be present at the hearing on the above-captioned property on October 9, 1986. However, as president of the Bare Hills Community Association, I would formally like to register our emphatic opposition to the proposed rezoning of the Barney property.

The Bare Hills Community Association opposes the granting of this petition for two reasons:
(1) The character of the properties contiguous to the site is entirely residential in nature. Commercial zoning on this site would result in "spot zoning" and would not, as is contended by the petitioners, constitute zoning consistent with other properties in the immediate area.
(2) The subject property is in an area of historical significance. Indeed, the subject property itself, as a longstanding residence in the neighborhood, contributes to the historical character of the area. Commercial zoning on this site, sure to result in replacement of the existing building with a larger commercial structure, would promote the decay of this historic neighborhood. We oppose any such threat to the historical integrity of the greater Bare Hills area.

A letter accompanying the petition for reclassification states that the property "is situated in an area that is generally commercialized in nature." As any visitor to the site would readily see, the very opposite of that statement is true. The site is surrounded by residences, some of a significant historic character. A reclassification to commercial zoning would not be in character with the existing neighborhood but would create an island of commercialization in a sea of residential properties.

The Bare Hills Community Association urges that the Board of Appeals deny the petition for rezoning and retain the existing DR5.5 zoning.

Sincerely,

Marie Fischer Cooke

Marie Fischer Cooke, Esq.
President
Bare Hills Community Association

Rec'd. 10/2/86 - 1:00pm
J. Holman

-2-

Balto. Co. Bd. of Appeals
Room 200
Old Court House
Towson, Md 21204

Sept. 15, 1986

Re: R-87-96 (Item 10
cycle 3)
Robert L. Barney - Petitioner

Dear Sirs,

As residents of Hollins Lane and members of the Lake Roland Protective Association, we would like to register strong protest to the petition filed by Robert Barney to have the S.E. corner lot, known as 6123 Falls Rd reclassified from D.R. 5.5 to B.L.

Hollins Lane and the immediate surrounding area is solely and entirely residential in nature. It may be one of the few areas in Balto. County, with close proximity to Balto. City, to have retained a bucolic, country environment. Indeed, Hollins Lane and Carroll Rd the two roads closest to the property in question, cannot even be described as suburban in nature. One has to see the area to understand the very special nature of the neighborhood as well as the setting that provides such a sanctuary for wildlife, birds, and trees. These very factors were the ones which attracted

us to the area seven years ago.

Unfortunately, we are very aware of the fact that these attributes are almost anachronisms, and are not held in any esteem today, especially by those for whom commercialization and profit are the operative words. There is no better proof of this fact than to view the hodge podge of tract housing, shopping malls, and general strip street commercialization that Balto. County has become, particularly along the corridors of York, Reisterstown, Liberty, and Delair Rds. It is very difficult to find anything in these areas, but the smallest residential pockets, where the neighborhoods are aesthetically pleasing or interesting. The Falls Rd. has yet to succumb totally to this kind of commercialization, but if development and the accompanying dollar signs are allowed to dominate decisions made for this area, it will become what other neighborhoods in Balto. County have already become.

Please attempt to understand our position. We do not consider our neighborhood elite, but we do consider it unique and, therefore, worth preserving. We are trying to protect a way of life and the integrity of one little corner of Balto. County. Please help us.

Sincerely,

Longard Earl Johnston
115 Hollins La.
Baltimore, Md. 21209

Rec'd. 10/2/86 J. Holman

THE RUXTON - RIDERWOOD - LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

Box 204
Riderwood, Md. 21139

August 28, 1986

Board of Governors
Robert W. Locke
President
Francis P. Saybolt
1st Vice President
Mary Michael Klint
2nd Vice President
Virginia M. Schmidt
Treasurer
Louise H. Hildreth
Secretary

Board of Appeals
Baltimore County
Old Court House, Room 200
Towson, Maryland 21204

Re: Case # R-87-96
Robert L. & Lenis Barney
6123 Falls Road

Dear Sirs,

Unfortunately, I will not be able to attend the hearing of Case # R-87-96 on October 7, 1986. However, as a member of the Planning and Zoning Committees of the Board of the Ruxton-Riderwood-Lake Roland Area Improvement Association, I have a statement to make concerning this case.

Commercial zoning belongs in our Industrial Parks and Town Centers, not in our residential neighborhoods. Unfortunately, in past years when the County government's rules and regulations were lax, strip zoning cropped up in areas throughout the county. Falls Road is one of these areas. Ideally, a new law should be made whereby the strip zoning areas would be converted back to residential. Unfortunately, this law does not exist, and therefore, our Association has worked long and hard over the years to keep the two commercial strips on Falls Road in check so that the delicate balance between commercial and residential can be maintained. The commercial area of this lower end of Falls Road ends at the Lake Falls Professional Building at 6115 Falls Road and the Video Store which abuts it. North of this address there is an abrupt change from commercial to residential. This residential community is made up of upper and middle class families, both black and white who work hard to maintain their individual properties and to keep the residential character of their neighborhood. It is unconscionable that Dr. and Mrs. Barney believe that the character of the neighborhood has changed when in fact, what is happening is exactly the opposite. The area is going through a residential revitalization and growth. Several homes are being restored and more are being built.

Board of Appeals
August 28, 1986
Page 2

My recommendation to Dr. and Mrs. Barney is that they should become a part of this residential revitalization. The property they own could be quite a charming home and garden if they would take the time and effort to maintain it properly. If they are too busy to be responsible landlords, then I recommend that they sell their property to someone who will take care of it. There are many respectable people who would jump at the opportunity to buy their property, restore it, live there and become a part of the residential community.

In conclusion, because there has not been a substantial change in the character of the neighborhood in which the property is located, and because the classification of the property as D.R. 5.5 is not in error, this petition for zoning reclassification should be denied.

Sincerely,

Gail B. O'Donovan

Gail B. O'Donovan

cc: The Honorable Barbara F. Bachur
Phyllis Cole Friedman
Peter Max Zimmerman
James Hoswell

Baltimore County Board of Appeals
Room 200 Old Court House
Towson, Maryland 21204

September 22, 1986

Re: Case #R-87-96 (Item 10 Cycle 3)
Property of Robert L. & Lenis D. Barney
6123 Falls Road, Baltimore County 21209
S.E. Corner of Falls Rd. (Rte 25) and Hollins Lane
Existing Zoning: DR 5.5
Proposed Zoning: B.L.
Acres 1.5 District 9th

Dear Sirs:

The referenced property lies within a stable residential neighborhood of long standing. Approval of the proposed rezoning would be the start of the destruction of a most unique residential area which has always been a compliment to Baltimore County.

I have lived continuously at my residence at 6215 Falls Road for 37 years and wish to register my vigorous and emphatic opposition to the rezoning proposal.

Sincerely,

William H. Harrison
William H. Harrison

Rec'd. 10/2/86
J. Holman

1100 COPPER HILL ROAD
BALTIMORE, MARYLAND 21209

September 24, 1986

Baltimore County Board of Appeals
Room 200
Old Court House, Towson, Md. 21204

Re: Case # R-87-96 (Item 10 Cycle 3)
Property of Robert L. & Lenis D. Barney
6123 Falls Road (Rte 25) & Hollins Lane
Existing Zoning: DR 5.5
Proposed Zoning: B.L.
Acres: 1.5 District 9th

Sirs:

Hearing that the Barney lot at 6123 Falls Road in Baltimore County was about to be changed from "residential" to "commercial" was indeed a disturbing piece of news. We own & have lived very near the Barney lot on Copper Hill Road for 28 years. This area is definitely a part of the lovely residential area which adjoins the peaceful and unspoiled Robert E. Lee Memorial Park. Any industrial encroachment of this particular area would be unwanted & undesired. We respectfully request that the existing zoning of D.R. 5.5 for this area be retained.

Sincerely,

Mrs. Arthur U. Hooper

Rec'd. 10/2/86 2:15pm
J. Holman

RECEIVED
COUNTY BOARD OF APPEALS
SEP 29 1986

AUG 10 1986

PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 5.5 zone to an BL zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

MAP NW 26
36
E.D. 94
DATE 2-7-88
200 BF
1000 X
DP

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)
Signature
Address
City and State

Robert L. Barney
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
John G. Gasson, II
(Type or Print Name)
Signature
Address
City and State

560 Quaker Bottom Road
Address
Sparks, Maryland 21152
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Lenis D. Barney
Name
771-4451
Sparks, Maryland 21152
Address

Attorney's Telephone No.: 828-0700

ROBERT T. GONZALES
ATTORNEY AT LAW
11 EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202-1079

September 16, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

Re: P-87-96 (Item 10 Cycle 3)
Robert L. Barney, Petitioner

Gentlemen:

On behalf of Lois and Philip Macht, the owners of the property known as No. 6140 Barroll Road, Baltimore County, Maryland, I am writing to object to a change in the zoning on the 1.5 acre property at the southeast corner of Falls Road and Hollins Lane, and to uphold the recommendations of the Planning Board.

As you are aware, the current zoning is D.R.5.5. An examination of the immediate area will confirm that it is residential in nature and has been so for many years. A change in zoning, allowing commercial development of this property, would in no way serve the community and would, in fact, be detrimental to the residential character of the neighborhood.

Therefore, on behalf of the owners, please consider this letter a formal objection to the change when considering the matter on October 9, 1986. I would be happy to attend this hearing if you feel it is necessary to speak against any change. Please contact me if you have any questions.

Very truly yours,
Robert T. Gonzales

RIG:K

RECEIVED
COUNTY BOARD OF APPEALS
FEB 17 11 11 05 86

IN THE MATTER OF
THE APPLICATION OF
ROBERT L. BARNEY, ET UX
FOR ZONING RECLASSIFICATION
FROM D.R. 5.5 TO B.L.
SE CORNER OF FALLS ROAD
AND HOLLINS LANE
9th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. R-87-96

ORDER FOR DISMISSAL

Petition of Robert L. Barney, et ux for zoning reclassification from D.R. 5.5 to B.L. on property located on the southeast corner of Falls Road and Hollins Lane in the 9th Election District, 4th Councilmanic District of Baltimore County; and

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of petition filed March 12, 1987 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above-entitled matter; and

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be withdrawn and dismissed as of March 12, 1987,

IT IS HEREBY ORDERED this 16th day of December, 1987 that said petition be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman
Thomas J. Bollinger
Lawrence E. Schmidt

GEORGE W. CONSTABLE
READ MCCAFFREY
C. GORDON HAINES
THOMAS F. CONNER, 3rd
R. MCEVOY CROWELL
JOHN A. SCALDARA
JOHN CREYNAL POWELL, JR.
MICHAEL J. ABRAHAMIS
JAMES W. CONSTABLE
DAVID W. BREEN
MICHAEL C. WARLOW
FRANK THOMAS HOWARD
JAMES D. BREEN
HARRIET H. B.C. AND MARYLAND

WRIGHT, CONSTABLE & SKEEN

ATTORNEYS AT LAW
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MD 21201
(301) 539-3541
TELEX 710 234-2483 CALDAS

ELKTON OFFICE
138 E. MAIN ST.
ELKTON, MD 21921
(301) 398-1844

July 22, 1986

Mr. William Hackett
Baltimore County
Board of Appeals
Courthouse
Towson, Maryland 21204

Re: Zoning Reclassification Petitions
Cycle III-1986
Item Nos. 10 and 11

Dear Mr. Hackett:

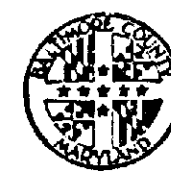
I represent the Ruxton-Riderwood-Lake Roland Area Improvement Association whose representatives appeared and testified in opposition to the above-referenced Zoning Reclassification Petitions before the Baltimore County Planning Board. It is my understanding that the hearing on these items are to be scheduled between October 6-19, 1986.

Kindly enter the appearance of the undersigned in these proceedings and direct all notices and correspondence to my attention. Please let me know if there are any additional requirements in order for my client to be heard at the hearing on these matters.

Very truly yours,
Kenneth F. Davies

KFD/pnp

RECEIVED
COUNTY BOARD OF APPEALS
FEB 24 11 11 05 86



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

December 16, 1987

James R. Farmer, Esquire
TURNBULL, MIX & FARMER
706 Washington Avenue
Towson, MD 21204

Re: Case No. R-87-94
Robert L. Barney, et ux

Dear Mr. Farmer:

Enclosed is a copy of the Order for Dismissal passed today by the County Board of Appeals in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Mr. & Mrs. Robert L. Barney
Kenneth F. Davies, Esquire
James Earl Kraft
Norman E. Gerber
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Robyn Clark
Arnold Jablon, County Attorney

LAW OFFICES
TURNBULL, MIX & FARMER

706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

JOHN ORSON TURNBULL, II
O. WARREN MIX
JAMES R. FARMER
DOUGLAS T. SACHSE

(301) 494-0700
(301) 494-1517
(301) 494-1517

JOHN ORSON TURNBULL
(301) 494-0700
(301) 494-1517
(301) 494-1517

February 27, 1986

Board of Appeals
Court House
Towson, Maryland 21204

Re: Property of Lenis Barney, et al
Councilmanic District
Election District

Gentlemen:

The property owner has filed a request that her tract of land, be rezoned from DR 5.5 to BL.

The property presently consists of two apartments, is situated in an area of Falls Road that is generally commercialized in nature and there is an office building in close proximity and other commercial uses which would be compatible with the subject property being rezoned BL.

The area is no longer appropriate for this particular apartment use and the changes in the area along with the other uses, require that the zoning be changed to BL.

Respectfully submitted,

John Gasson Turnbull, II
Attorney for Lenis Barney, et al

JGT/jh

LAW OFFICES
TURNBULL, MIX & FARMER

706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

O. WARREN MIX
JAMES R. FARMER
DOUGLAS T. SACHSE

(301) 494-0700
(301) 494-1517
(301) 494-1517

JOHN ORSON TURNBULL
(301) 494-0700
(301) 494-1517
(301) 494-1517

October 7, 1986

William T. Hackett, Chairman
County Board of Appeals
Court House
Towson, Maryland 21204

HAND DELIVERED

RE: Petition for Zoning Reclassification
Robert L. Barney, et ux - Petitioners

Dear Mr. Hackett:

As you are well aware, this office represents Mr. and Mrs. Robert L. Barney in reference to the above captioned matter, and a hearing is currently scheduled for Thursday, October 9, 1986 at 10:00 a.m.

Unfortunately, Mr. Turnbull, who was handling this matter on behalf of the Barneys, was appointed to the Circuit Court for Baltimore County and for some reason, your Notice of Hearing was not put on my trial calendar. I am not familiar with this case, and therefore, would respectfully request a brief continuance.

I was just contacted this morning by Deputy People's Counsel for Baltimore County, Peter Max Zimmerman, regarding this matter, and this was my first knowledge that a hearing was scheduled. Mr. Zimmerman understands my situation, and would not object to a continuance at this time.

I am writing this letter without discussing same with the Barneys, but thought it best to contact you immediately rather than wait.

Thank you in advance for your anticipated help and cooperation and should you have any questions, please do not hesitate to contact me.

Very truly yours,
TURNBULL, MIX & FARMER

James R. Farmer

JRF/dm

cc: Peter Max Zimmerman, Esquire

LAW OFFICES
TURNBULL, MIX & FARMER

706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

O. WARREN MIX
JAMES R. FARMER
DOUGLAS T. SACHSE

(301) 494-0700
(301) 494-1517
(301) 494-1517

JOHN ORSON TURNBULL
(301) 494-0700
(301) 494-1517
(301) 494-1517

March 9, 1987

Baltimore County Board of Appeals
Court House
Towson, Maryland 21204

ATTENTION: William T. Hackett, Chairman

RE: Petition for Zoning Reclassification
Case No. R-87-96

Dear Mr. Hackett:

As your file will reflect, this office represents Mrs. Lenis D. Barney in reference to the above captioned matter.

I had requested a continuance of this case back in October, and for some reason did not follow up with your office to formally dismiss the Petition.

I have been in touch with Mrs. Barney and discussed with her at length the problems with her request for reclassification and it was decided that it would be in her best interest to dismiss the Petition. Therefore, I would appreciate your accepting this letter as formal notice on behalf of Mrs. Barney dismissing this matter.

By copy of this letter I am advising all interested parties of our decision to dismiss the Petition on behalf of Mrs. Barney.

Thank you for your cooperation in this matter and should you have any questions, please do not hesitate to contact me.

Very truly yours,
TURNBULL, MIX & FARMER

James R. Farmer

JRF/dm

cc: Kenneth F. Davies, Esquire
Marie Cook, President,
Barehills Community Association
People's Counsel for Baltimore County
Mrs. Lenis D. Barney

RECEIVED
COUNTY BOARD OF APPEALS
FEB 12 11 11 05 86

AUG 14 1988

IN THE MATTER OF THE PETITION
FOR ZONING RECLASSIFICATION
FROM D.R. 5.5 TO B.L. ZONE
SE Corner of Falls Rd. and
Hollins Lane, 9th District
: BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
: Case No. R-87-96 (Item 10, Cycle III)
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of August, 1986, a
copy of the foregoing Entry of Appearance was mailed to John Grason
Turnbull, II, 706 Washington Ave., Towson, MD 21204, Attorney for
Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ROBERT L. BARNEY, ET UX #R-87-96
SE corner of Falls Road and
Hollins Lane Item #10, Cycle III, 1986
9th District
DR 5.5 to B.L. 1.5 acres

Feb. 28, 1986 Petition filed

John Grason Turnbull, II, Esquire
John Grason Turnbull, II, Esquire
706 Washington Ave. (21204)
Counsel for Petitioners

Robert L. Barney, et ux
560 Quaker Bottom Road
Sparks, MD 21152
Petitioners

James Earl Kraft
Baltimore County Board of Education
21204 Hollins Road (21204)
People's Counsel

Phyllis Cole Friedman
People's Counsel

Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

Kenneth F. Davies, Esq.
Sun Life Building
Charles Center (21201)
Counsel for Protestants
(Ruxton-Riderwood-Lake Roland
Area Improvement Assn.)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: September 25, 1986
Posted for: Reclassification
Petitioner: Robert L. Barney, et ux
Location of property: SE cor. of Falls Rd. and Hollins Ln.
Location of Sign: In front of 4123 Falls Road
Remarks: See letter
Posted by: A. J. Jablon Date of return: October 3, 1986
Number of Signs: 1

A. L. Snyder
1911 Harwood Pike
Hampstead, Maryland 21074
(301) 289-7744 (301) 333-5791

Description to accompany Zoning Petition

Beginning for the same in the center of Falls Road, where the
same is intersected by the centerline of Hollins Lane, and run-
ning thence:

- 1.) N 63° 15' E 293.48 feet, thence,
- 2.) S 13° 45' E 250.33 feet, thence,
- 3.) S 69° 30' W 134.82 feet, thence,
- 4.) N 20° 30' W 16.00 feet, thence,
- 5.) S 69° 30' W 17.00 feet, thence,
- 6.) N 20° 30' W 42.00 feet, thence,
- 7.) S 77° 30' W 158.00 feet, thence,
- 8.) N 3° W 158.95 feet, to the place of beginning.

Containing 1.5 acres of land more or less.

Being all that land which was conveyed by Carolyn Kling
Preston, to Robert L. Barney, and Lenia D. Barney, his wife,
by deed dated October 15, 1973, and recorded among the Land
Records of Baltimore County, Maryland, in Liber E.H.K.Jr.
5402 folio 490 etc.

MEMBER: Md. Soc. of Surveyors • W. Va. Assoc. of Land Surveyors • A.C.S.M. • C.C.A.S.E.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 17, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in the TOWSON TIMES, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
September 17, 1986.

TOWSON TIMES,

Susan Lewis Obelt
Publisher

51.00



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 23, 1987
SECOND BILL

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins Ln.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

This is to advise you that \$320.71 is due for
advertising and posting of the above property. This fee must be
paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND
POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE.

Please make your check payable to "Baltimore County, Maryland"
and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113,
County Office Building, Towson, Maryland 21204.

Very truly yours,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:med

c.c. Mr. William T. Hackett
Chairman
Board of Appeals for Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 3, 1986

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins Ln.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

This is to advise you that \$320.71 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST
RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF
THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland"
and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113,
County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 12/28/86 ACCOUNT: 01-615-000

AMOUNT: 100.00

RECEIVED BY: Hunt Valley Antiques

FOR: Reclass Falls Rd. Hollins

NO. 01-8435

VALIDATION OR SIGNATURE OF CASHIER

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

August 27, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins Ln.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

TIME: 10:00 a.m.

DATE: Thursday, October 9, 1986 - Case continued in open hearing -
see letter

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

With:med

ccs: Mr. Robert L. Barney
Mrs. Lenia D. Barney
560 Quaker Bottom Road
Sparks, Maryland 21152
Ms. Marie Cooke
President
Rare Hills Community Association
Baltimore, Maryland 21209

Kenneth F. Davies, Esquire
Wright, Constable & Sken
Sun Life Building
Charles Center
Baltimore, Maryland 21201
People's Counsel of Baltimore County

P.S. TO MR. TURNBULL:

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE BALTIMORE ZONING
OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY
A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST
RETURNED TO THE ZONING OFFICE, ROOM 113, COUNTY OFFICE BUILDING, 111 WEST
CHESAPEAKE AVENUE, TOWSON, MARYLAND ON THE DAY OF THE HEARING OR THE ORDER
WILL NOT BE ISSUED.

W.T.H.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 18, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
September 18, 1986.

THE JEFFERSONIAN,

Susan Lewis Obelt
Publisher

Cost of Advertising

27.50

PETITION FOR
RECLASSIFICATION
Case No. R-87-96
LOCATION: Southeast Corner of
Falls Road and Hollins Lane
PUBLIC HEARING: September 18, 1986, at 10:00 a.m.
The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing on the petition for reclassification of the above property from D.R. 5.5 to B.L. Zone.
All the parcels of land in the 9th Election District, within the limits of the County of Baltimore, which are the subject of the petition, shall be the subject of the hearing.
1. N 63° 15' E 293.48 feet, thence
2. S 13° 45' E 250.33 feet, thence
3. S 69° 30' W 134.82 feet, thence
4. N 20° 30' W 16.00 feet, thence
5. S 69° 30' W 17.00 feet, thence
6. N 20° 30' W 42.00 feet, thence
7. S 77° 30' W 158.00 feet, thence
8. N 3° W 158.95 feet, to the place of beginning.
Containing 1.5 acres of land, more or less.
Being all that land which was conveyed by Carolyn Kling Preston, to Robert L. Barney, and Lenia D. Barney, his wife, by deed dated October 15, 1973, and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K.Jr., 5402 folio 490 etc.

AUG 12 1986



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins La.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

**BREAKDOWN OF ADVERTISING
AND POSTING COSTS**

\$227.21	Due for full page ads share
78.50	Due for individual case advertisements
15.00	Due for 1 sign posted on property
\$320.71	GRAND TOTAL DUE

Prepared by Margaret E. du Bois, Zoning Office
on February 27, 1987



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 3, 1986

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins La.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

This is to advise you that \$320.71 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 23, 1987

SECOND BILL

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SE/cor. of Falls Rd. and Hollins La.
9th Election District
Robert L. Barney, et ux - Petitioners
Case No. R-87-96 (Cycle III, Item No. 10)

Dear Mr. Turnbull:

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THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE.

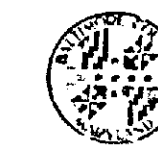
Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204.

Very truly yours,

ARNOLD JABLON
Zoning Commissioner

AJ:med

c.c. Mr. William T. Hackett
Chairman
Board of Appeals for Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
493-4500

RICH H. REYNOLDS
CHIEF

May 13, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: William Hackett
Chairman, County Board of Appeals

RE: Property Owner: Robert L. Barney, et ux
Location: SE/cor. of Falls Rd. and Hollins La.

Item No.: 10 Zoning Agenda: Cycle III
4/86 - 10/86

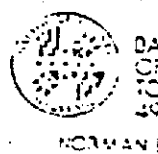
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

APRIL 22, 1986

Re: Zoning Advisory Meeting of CYCLE III - RECLASS.
Item - 10 - CYCLE III
Proposed Owner: ROBERT L. BARNEY, et ux
Location: SE/cor. of FALLS RD. & HOLLINS LA.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment, AT THIS TIME.
- () A County Review Group Meeting is required.
- () A City Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by 8111 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "T" level intersection as defined by 8111 175-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

(X) Additional comments:
SUBJECT PROPERTY IS REZONED, ANY FUTURE DEVELOPMENT MUST MEET THE REQUIREMENTS OF BILL 850-62 "THE DEVELOPMENT REGULATORY ACT"

cc: James Howell

Eugene A. Ober
Chief, Current Planning and Development



Maryland Department of Transportation
State Highway Administration

William K. Holmann
Secretary
Hal Kassoff
Administrator

May 6, 1986

Mr. William Hackett
Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Item #10
Property Owner: Robert L. Barney, et ux
Location: SE/cor. of Falls Road (Route 25) and Hollins La.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5
District: 9th

ATT: James Dyer

Dear Mr. Dyer:

On review of the submittal of 2/27/86, to accompany the Zoning Petition for the "Barney Property" the S.H.A. Bureau of Engineering Access Permits will require the developer and or owner to provide access improvements by way of Falls Road or the Hollins Lane intersection through S.H.A. Permit with the posting of a bond or Letter of Credit to guarantee construction.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle

My telephone number is 301-659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 7171707 North Calvert St., Baltimore, Maryland 21205 - 0717

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 1, 1986

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John Grason Turnbull, II, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: Item No. 10 - Cycle No. III
Petitioner: Robert L. Barney, et ux
Reclassification Petition

Dear Mr. Turnbull:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April-October reclassification cycle (Cycle III). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before October 8, 1986. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

Page Two
Item No. 10, Cycle III
October 1, 1986

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb (MS018)

Enclosures

cc: A.L. Snyder, Surveyor
1911 Hanover Pike
Hampstead, Maryland 21155

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Michael Moran, Esquire
Assistant County Attorney Date: August 11, 1987

FROM: Margaret E. du Bois
Zoning Office (X3394)

SUBJECT: COLLECTION OF ADVERTISING & POSTING COSTS RE
RECLASSIFICATION CASE #R-87-96

I am again attaching copies of all correspondence and/or pleadings which I furnished you previously with respect to the above-captioned matter on February 27, 1987 and March 19, 1987.

Can you please advise both me and the Board of Appeals what the status is re collection efforts on this matter. Thank you.

Enclosures

cc: Mr. William T. Hackett
Chairman, Board of Appeals

RECEIVED
COUNTY BOARD OF APPEALS
AUG 11 1987

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Malcolm F. Spicer, Jr., Esquire
County Attorney Date: March 19, 1987

FROM: Arnold Jablon
Zoning Commissioner

SUBJECT: PETITION FOR RECLASSIFICATION - CASE NO. R-87-96

Enclosed for your records is a copy of a letter directed to the Board of Appeals by James R. Farmer, Esquire, dated March 9, 1987, concerning this matter.

If you have any questions or comments regarding same, please feel free to give Ms. du Bois a call (X3394).

AJ:med
Enclosure

c.c. Mr. William T. Hackett, Chairman
Board of Appeals for Baltimore County

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William F. Hackett - Chairman
Appeals Board Date: June 24, 1986

FROM: Charles E. "Ted" Burnham
Plans Review Chief, Department of Permits & Licenses

SUBJECT: April - October 1986 - Zoning Classification - - Cycle III

Item # 10 Property Owner: Robert L. Barney, et ux
Contract Purchaser:
Location: SE/Cor. of Falls Road and Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5 Acres
District: 9th. Election District

Should any of the current residential structures be proposed for use for commercial purposes, Section 103.2 and Section 505 shall be applicable. Other Code Sections which might be applicable would be determined by the applicant's Architect or Engineer registered in Maryland, prior to filing a permit application and by this department on receipt of the application and plans.

CEB/vw

LAW OFFICES
TURNBULL, MIX & FARMER
700 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

JOHN GRASON TURNBULL, II
JOHN WARREN MIX
JAMES L. FARMER
NICHOLAS T. BACHRE

(301) 958-0700
(301) 958-1017

JOHN GRASON TURNBULL
(1800-1084)

February 27, 1986

Board of Appeals
Court House
Towson, Maryland 21204

Re: Property of Lenis Barney, et al
Councilmanic District
Election District

Gentlemen:

The property owner has filed a request that her tract of land, be rezoned from DR 5.5 to BL.

The property presently consists of two apartments, is situate in an area of Falls Road that is generally commercialized in nature and there is an office building in close proximity and other commercial uses which would be compatible with the subject property being rezoned BL.

The area is no longer appropriate for this particular apartment use and the changes in the area along with the other uses, require that the zoning be changed to BL.

Respectfully submitted,

John Grason Turnbull, II
Attorney for Lenis Barney, et al

JGT/jh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Margaret duBois
Zoning Office Date: September 3, 1987

FROM: Office of Law

SUBJECT: Robert L. Barney, et al
Collection of Advertising,
and Posting Costs
Reclassification Case No. R-87-96

Attached is a Complaint to be filed with the District Court for Baltimore County in the above captioned matter.

Please have the Zoning Commissioner sign the Affidavit and return same to this office. Upon receipt of the signed Affidavit this office will promptly file this Complaint with the District Court.

Harry A. Butanis
Assistant County Attorney

BAB/lbf

cc: William T. Hackett
Chairman, Board of Appeals

RECEIVED
SEP 11 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Malcolm F. Spicer, Jr., Esquire
County Attorney Date: February 27, 1987

FROM: Arnold Jablon
Zoning Commissioner

SUBJECT: PETITION FOR RECLASSIFICATION - CASE NO. R-87-96

A review of my file in the above-entitled matter reveals that the advertising and posting costs have not yet been paid after the submission of two bills to Mr. Turnbull. Therefore, I am referring this matter to your office for collection purposes.

Enclosed are copies of the following papers from my file:

1. Petition for Zoning Reclassification;
2. Description of Property;
3. First bill sent to Mr. Turnbull, dated October 3, 1986;
4. Second bill sent to Mr. Turnbull, dated January 23, 1987; and
5. Breakdown of advertising and posting costs prepared by Ms. du Bois, of my office.

If you have any questions or need any further assistance, please feel free to contact Ms. du Bois on X3394.

AJ:med
Enclosures

cc: Mr. William T. Hackett, Chairman
Board of Appeals for
Baltimore County

CPS-008



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 19, 1986

Mr. William Hackett, Chairman
Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Cycle III April 1986
Item No. 10
Property Owner: Robert L. Barney, et ux
Location: SE/Cor. of Falls Rd. and Hollins La.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5 acres
District: 9th Election District

Dear Mr. Hackett:

The present D.R. 5.5 zoning can be expected to generate approximately 85 trips per day, and the proposed B.L. zoning can be expected to generate approximately 750 trips per day.

Road improvements will be required with any development of this site.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

WRIGHT, CONSTABLE & SKEEN

ATTORNEYS AT LAW
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MD 21201
(301) 539-5541
TELEX 710 234-2483 CALDAS

ELKTON OFFICE
138 E. MAIN ST.
ELKTON, MD 21921
(301) 398-1844

July 22, 1986

GEORGE W. CONSTABLE
READ McCAFFREY
C. GORDON HANES
THOMAS F. COOPER, JR.
R. MEYER CROWELL
JOHN A. SCALDARA
JOHN BRENTNALL POWELL, JR.
MICHAEL J. ABRONATIS
JAMES W. CONSTABLE
DAVID W. BREEN
MICHAEL C. WARLOW
FRANK THOMAS HOWARD
JAMES D. BREEN
TAKHTIAN W. DE AND MARYLAND

CHRISTOPHER J. RUSSO, JR.
STEPHEN F. WHITE
BRIAN S. GOODMAN
ROBERT W. ENEALON
RICHARD M. BASSETT
STEPHEN P. RAUPTMAN
KENNETH F. DAVIES

OF COUNSEL
JOHN D. ALEXANDER
EMMA R. ROBERTSON
GEORGE H. BOWELL
WILLIAM A. BREEN
JOSEPH T. CHADWICK, JR.
WM. PEPER CONSTABLE
188-1816
JOHN D. WRIGHT
1803-1878

Mr. William Hackett
Baltimore County
Board of Appeals
Courthouse
Towson, Maryland 21204

Re: Zoning Reclassification Petitions
Cycle III-1986
Item Nos. 10 and 11

Dear Mr. Hackett:

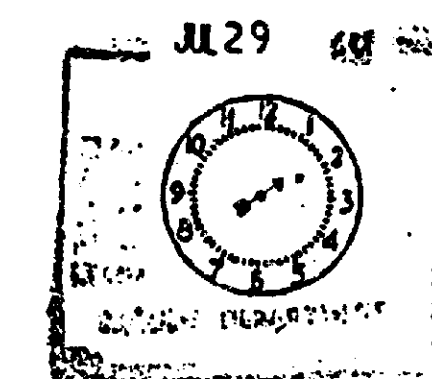
I represent the Ruxton-Riderwood-Lake Roland Area Improvement Association whose representatives appeared and testified in opposition to the above-referenced Zoning Reclassification Petitions before the Baltimore County Planning Board. It is my understanding that the hearing on these items are to be scheduled between October 6-19, 1986.

Kindly enter the appearance of the undersigned in these proceedings and direct all notices and correspondence to my attention. Please let me know if there are any additional requirements in order for my client to be heard at the hearing on these matters.

Very truly yours,

Kenneth F. Davies

KFD/pnp



RECEIVED
COUNTY BOARD OF APPEALS
SEP 24 1987

AUG 19 1986

FRIENDS OF THE ROBERT E. LEE MEMORIAL PARK
912 Rolandvue Road, Baltimore, Maryland 21204
301-837-6657

September 25, 1986

The Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

Re: #R-87-96
Robert L. Barney, Petitioner

Dear Ladies and Gentlemen:

The Board of Directors of The Friends of the Robert E. Lee Memorial Park wishes to register its opposition to Case #R-87-96, a petition to rezone the 1.5 acre lot at 6123 Falls Road from DR 5.5 to BL.

The Friends of the Robert E. Lee Memorial Park is an independent community group whose purpose is to support the City of Baltimore in its management of the park's 600 acres. The group was founded in 1983, and membership consists of approximately 350 families.

Occasionally the Board of Directors is confronted with a situation which is potentially damaging to the future of the park. It is the view of this Board that the rezoning of the above lot would be incompatible with park usage and in addition, could initiate a series of similar petitions. As Falls Road forms much of the park's western boundary, potential commercial development of this corridor is directly related to the future of the park.

For the reasons cited above, the Board of Directors has voted to oppose Case # R-87-96.

Sincerely yours,

J. B. Lawrence
Jane S. B. Lawrence

Louise H. Hildreth
Louise H. Hildreth
Co-Chairmen
Friends of Robert E. Lee
Memorial Park

Rec'd. 10/2/86
J. Holman

THE ROLAND PROTECTIVE ASSOCIATION
6141 Barroll Road
Baltimore, Maryland 21209

October 9, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: Property of Robert L. and Lenis D. Barney
6123 Falls Road, Baltimore County
S. E. Cor. Falls Road (Rt. 25) and Hollins Lane
Existing Zoning: D.R. 5.5; Proposed Zoning: B.L.
Acres: 1.5; District: 9th

Dear Ladies and Gentlemen:

As a continuous resident for over forty years, I speak for the Hollins Lane-Barroll Road neighborhood. Our group is called The Lake Roland Protective Association and our goal is to improve and protect the residential quality of living in this area. All of the residents without exception have striven to promote responsible zoning and worked very hard to preserve and beautify our properties. We have been very successful in achieving this goal, and it is my pleasure to invite you to make an inspection tour of Hollins Lane and Barroll Road to verify the accuracy of my statement. In this regard and considering the old saying that a picture is worth a thousand words, I have a copy of Baltimore Magazine for April, 1986. On page 127 there are photographs of the back yard of a resident who is here with us today from Hollins Lane. A quick glance at these photographs will, I think, say more than I could say in an hour of the Board of Appeals' valuable time.

The sole means of entrance to our homes on Barroll Road and Hollins Lane from the Falls Road, as well as exit from, is precisely at the junction designated as Case #R-87-96 - Item 10 - Cycle 3 in which Robert L. Barney petitions for a change in zoning from residential to commercial.

In our judgment, this petition, if approved, would be disastrous to our carefully developed residential neighborhood. It would also be a setback for the Baltimore County Master Plan for zoning - 1979-1990. The Lake Roland Protective Association strongly opposes this petition.

Sincerely,

Edward Davens
Edward Davens
President

ED:edp

Rec'd. 10/2/86
J. Holman

6137 Barroll Road
Baltimore, Maryland 21209
September 24, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: #R-87-96
Robert L. Barney, Petitioner

Dear Ladies and Gentlemen,

In writing this letter, we would like to register our strong opposition to Petition #R-87-96 which seeks the rezoning of a 1.5 acre tract at 6123 Falls Road (from DR 5.5 to BL).

As area residents for eighteen years, we have watched the residential character of this neighborhood grow stronger and more secure. Handsome older houses have been bought and restored, new houses have been built, and the historic ties uniting Falls Road families, both black and white, have been strengthened. This segment of Falls Road, including the adjoining streets of Hollins Lane, Barroll Road, Gardman Avenue, Walnut Lane and Copper Hill Road, has become a unique residential area with an affectionate and respectful public following. Currently, five Associations are working to secure and perpetuate its low density residential character.

The rezoning of the Barney property would allow the introduction of "strip" or "spot" commercial zoning into this unique area. The County Master Plan counsels against this random type of commercial zoning. The rationale for this lies first in the inappropriateness of this type of zoning, and secondly in its potential to effect further destructive change. The properties to the north, east, south and west of the Barney acreage are all zoned residential. The intrusion of commercial zoning would undermine an exemplary residential area and decades of community effort.

Sincerely yours,

James Lawrence III
Jane S. B. Lawrence
James Lawrence III, M. D.

/dp

Rec'd. 10/2/86
J. Holman

5 October, 1986

Dear Members of the Appeals Board:

I write to you as a resident of the neighborhood affected by Case #R-87-96 (Item 10, Cycle 3) Property of Robert L. and Lenis D. Barney 6123 Falls Road, Baltimore County S.E. Cor. Falls Rd. (Rt. 25) & Hollins Lane Existing Zoning: DR 5.5 Proposed Zoning: BL Acres 1.5 9th District.5

The proposed rezoning of this property, from "residential" to "commercial" (from D.R. 5.5 to BL) would place terrible stress on the varied and historic neighborhoods of which we are so proud on Falls Road. Five local neighborhood associations are opposed: the Buxton-Riderwood-Lake Roland Area Improvement Association, Association, and The Bare Hills Community Association. Also on record as opposed is the board of directors of Friends of the Robert E. Lee Park.

The Barneys' lawyer has claimed that this property "is situated in an area of Falls Road which is generally commercialized in nature." In fact, the opposite is true. The Barney property is surrounded by residential zoning; it is not part of the commercially zoned area; it does not even abut that area. The granting of BL zoning for the Barney property would allow commercialization, for the first time, to leapfrog into the residential community.

I understand that the County Planning Board is on record as being against "strip zoning" -- this would be a classic case of another Reisterstown Road, York Road, Belair Road, Liberty Road (etc.) driving out long-standing residents. Responsible developers have done so much to keep Falls Road a viable balance of residential/commercial -- Martin Azola's careful, handsome restoration of the Rockland Mill houses (residential) and the old grist mill (commercial) are a splendid example (at Falls Road and Old Court Road). But Falls Road is also vulnerable to irresponsible, unsightly development. Rezoning the Barney property would do irreversible damage to our community.

Sincerely,

Sarah Fenno Lord
Sarah Fenno Lord
6219 Falls Road, 21209

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: December 4, 1987
FROM: Office Of Law
SUBJECT: Advertising and Posting Cost
Reclassification Case# R-87-96
Robert and Lenis Barney
Amt. Of Cost: \$320.71

Attached is check No. 608 dated November 22, 1987, in the amount of \$320.71, submitted as full payment of costs in the above captioned case for zoning reclassification.

I am closing my file on this matter as of this date.

Barry A. Butanis
Barry A. Butanis
Assistant County Attorney

BAB/wjr

cc: William T. Hackett, Chairman
Board Of Appeal

Enclosure:

Rec'd
12/7/87
M. C. du Bois

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Barry A. Butanis, Esquire Date: September 11, 1987
Assistant County Attorney
Margaret E. du Bois
Zoning Office
FROM: Dr. Vernon Martens
SUBJECT: Amount Due: \$419.08, Case No. R-87-95
Zoning Reclassification Costs
Amount Due: \$320.71
Case No. R-87-96

Enclosed are the Complaints with respect to the above-entitled matters. Zoning Commissioner Haines has signed them as of this date. Please take care of filing them with the District Court. Thank you.

Hauck Anthony Companies

World Trade Center
Baltimore, Maryland 21202
(301) 837-2424
(703) 734-1000
WATS (800) 622-5666
VA WATS (800) 533-4401

September 19, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: Case # R-87-96 (Item 10 Cycle 3)
6123 Falls Road
Existing Zoning: DR.5
Proposed Zoning: B.L.

Dear Sirs,

We wish to register officially with the Board that we strongly oppose the proposed zoning sought by Robert L. and Lenis D. Barney for their property, 1.5 acres at the Southeast corner of Falls Road and Hollins Lane.

The grounds for our opposition are simply these. First and foremost, the area in question is a low-density residential neighborhood.

Secondly, Hollins Lane is a dead end street. We who live on the lane in addition to the residents of Barrole Road have only one exit to Falls Road. A commercial property at our corner would dangerously impede our access with unnecessary traffic.

Thirdly, we wish to preserve the charm and harmony of this lovely stretch of road from the bridge north to Bare Hills Road. The Barneys have allowed their rental property to fall into disrepair, and for those of us that must pass it daily, it is a real eyesore.

It alarms us that such "neighbors" who purchase property merely for speculation could be allowed to destroy our cherished neighborhood for monetary gain.

This rezoning proposed is the ultimate example of "spot" zoning in our opinions.

Yours truly,

Sally S. Anthony
Sally S. Anthony
F. Lee Anthony
1118 Hollins Lane
Baltimore, Maryland 21209

Rec'd. 10/2/86
J. Holman
Management Corporation, Inc. • H & A Enterprises, Inc. • H & A Venture Capital, Inc. • TFI, Ltd. • H & A Consulting, Inc.
Management Corporation Services, Inc. • H & A Financial Services, Inc. • Prime Time, Inc.

September 22, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

Re: Case #R-87-96 (Item 10 Cycle 3)
Robert L. Barney Petitioner
6123 Falls Road, Baltimore County 21209
S.E. Corner Falls Road (Rte 25) and Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 1.5 District 9th

Dear Sirs:

We have been residents of Hollins Lane in Lake Roland for the past four years and have enjoyed its peaceful park-like setting. When looking for a house four years ago, we were immediately attracted to the unique country setting and convenient location of Hollins Lane and the surrounding Falls Road area.

Learning of the Barney proposal to change the zoning of the southeast corner of Hollins Lane and Falls Road from the current residential zoning (D.R. 5.5) to commercial zoning greatly concerns us. If this proposal is passed it will unfavorably alter the pleasant residential community in which we live. The result would be a commercial piece of property in the midst of a residential community.

We strongly support the planning board recommendation to retain the existing residential zoning (D.R. 5.5) for the Barney property.

Thank you for your careful consideration.

Sincerely,

Margaret Constantine
Margaret Constantine
Dr. and Mrs. Niel T. Constantine
1117 Hollins Lane
Baltimore, Maryland 21209
(301)-823-3325

Rec'd. 10/2/86
J. Holman

BARE HILLS COMMUNITY ASSOCIATION
6222 Falls Road
Baltimore, Md. 21209

September 9, 1986

Baltimore County Board of Appeals
Room 200
Old Court House
Towson, Md. 21204

Re: Case #R-87-96 (Item 10 Cycle 3)
Property of Robert L. & Lenis D. Barney
6123 Falls Road, Baltimore County 21209
S.E. Cor. Falls Road (Rte 25) and Hollins Lane
Existing Zoning: DR5.5
Proposed Zoning: B.L.
Acres: 1.5 District 9th

Dear Sirs:
Unfortunately I will be unable to be present at the hearing on the above-captioned property on October 9, 1986. However, as president of the Bare Hills Community Association, I would formally like to register our emphatic opposition to the proposed rezoning of the Barney property.

The Bare Hills Community Association opposes the granting of this petition for two reasons:
(1) The character of the properties contiguous to the site is entirely residential in nature. Commercial zoning on this site would result in "spot zoning" and would not, as is contended by the petitioners, constitute zoning consistent with other properties in the immediate area.
(2) The subject property is in an area of historical significance. Indeed, the subject property itself, as a longstanding residence in the neighborhood, contributes to the historical character of the area. Commercial zoning on this site, sure to result in replacement of the existing building with a larger commercial structure, would promote the decay of this historic neighborhood. We oppose any such threat to the historical integrity of the greater Bare Hills area.

A letter accompanying the petition for reclassification states that the property "is situated in an area that is generally commercialized in nature." As any visitor to the site would readily see, the very opposite of that statement is true. The site is surrounded by residences, some of a significant historic character. A reclassification to commercial zoning would not be in character with the existing neighborhood but would create an island of commercialization in a sea of residential properties.

The Bare Hills Community Association urges that the Board of Appeals deny the petition for rezoning and retain the existing DR5.5 zoning.

Sincerely,

Marie Fischer Cooke

Marie Fischer Cooke, Esq.
President
Bare Hills Community Association

Rec'd. 10/2/86 - 1:00pm
J. Holman

-2-

Balto. Co. Bd. of Appeals
Room 200
Old Court House
Towson, Md 21204

Sept. 15, 1986

Re: R-87-96 (Item 10
cycle 3)
Robert L. Barney - Petitioner

Dear Sirs,

As residents of Hollins Lane and members of the Lake Roland Protective Association, we would like to register strong protest to the petition filed by Robert Barney to have the S.E. corner lot, known as 6123 Falls Rd reclassified from D.R. 5.5 to B.L.

Hollins Lane and the immediate surrounding area is solely and entirely residential in nature. It may be one of the few areas in Balto. County, with close proximity to Balto. City, to have retained a bucolic, country environment. Indeed, Hollins Lane and Carroll Rd the two roads closest to the property in question, cannot even be described as suburban in nature. One has to see the area to understand the very special nature of the neighborhood as well as the setting that provides such a sanctuary for wildlife, birds, and trees. These very factors were the ones which attracted

us to the area seven years ago.

Unfortunately, we are very aware of the fact that these attributes are almost anachronisms, and are not held in any esteem today, especially by those for whom commercialization and profit are the operative words. There is no better proof of this fact than to view the hodge podge of tract housing, shopping malls, and general strip street commercialization that Balto. County has become, particularly along the corridors of York, Reisterstown, Liberty, and Delair Rds. It is very difficult to find anything in these areas, but the smallest residential pockets, where the neighborhoods are aesthetically pleasing or interesting. The Falls Rd. has yet to succumb totally to this kind of commercialization, but if development and the accompanying dollar signs are allowed to dominate decisions made for this area, it will become what other neighborhoods in Balto. County have already become.

Please attempt to understand our position. We do not consider our neighborhood elite, but we do consider it unique and, therefore, worth preserving. We are trying to protect a way of life and the integrity of one little corner of Balto. County. Please help us.

Sincerely,

Longard Earl Johnston
115 Hollins La.
Baltimore, Md. 21209

Rec'd. 10/2/86 J. Holman

**THE RUXTON - RIDERWOOD - LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.**

Box 204
Riderwood, Md. 21139

August 28, 1986

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Board of Appeals
Baltimore County
Old Court House, Room 200
Towson, Maryland 21204

Re: Case # R-87-96
Robert L. & Lenis Barney
6123 Falls Road

Dear Sirs,

Unfortunately, I will not be able to attend the hearing of Case # R-87-96 on October 7, 1986. However, as a member of the Planning and Zoning Committees of the Board of the Ruxton-Riderwood-Lake Roland Area Improvement Association, I have a statement to make concerning this case.

Commercial zoning belongs in our Industrial Parks and Town Centers, not in our residential neighborhoods. Unfortunately, in past years when the County government's rules and regulations were lax, strip zoning cropped up in areas throughout the county. Falls Road is one of these areas. Ideally, a new law should be made whereby the strip zoning areas would be converted back to residential. Unfortunately, this law does not exist, and therefore, our Association has worked long and hard over the years to keep the two commercial strips on Falls Road in check so that the delicate balance between commercial and residential can be maintained. The commercial area of this lower end of Falls Road ends at the Lake Falls Professional Building at 6115 Falls Road and the Video Store which abuts it. North of this address there is an abrupt change from commercial to residential. This residential community is made up of upper and middle class families, both black and white who work hard to maintain their individual properties and to keep the residential character of their neighborhood. It is unconscionable that Dr. and Mrs. Barney believe that the character of the neighborhood has changed when in fact, what is happening is exactly the opposite. The area is going through a residential revitalization and growth. Several homes are being restored and more are being built.

Board of Appeals
August 28, 1986
Page 2

My recommendation to Dr. and Mrs. Barney is that they should become a part of this residential revitalization. The property they own could be quite a charming home and garden if they would take the time and effort to maintain it properly. If they are too busy to be responsible landlords, then I recommend that they sell their property to someone who will take care of it. There are many respectable people who would jump at the opportunity to buy their property, restore it, live there and become a part of the residential community.

In conclusion, because there has not been a substantial change in the character of the neighborhood in which the property is located, and because the classification of the property as D.R. 5.5 is not in error, this petition for zoning reclassification should be denied.

Sincerely,

Gail B. O'Donovan

Gail B. O'Donovan

cc: The Honorable Barbara F. Bachur
Phyllis Cole Friedman
Peter Max Zimmerman
James Hoswell

Baltimore County Board of Appeals
Room 200 Old Court House
Towson, Maryland 21204

September 22, 1986

Re: Case #R-87-96 (Item 10 Cycle 3)
Property of Robert L. & Lenis D. Barney
6123 Falls Road, Baltimore County 21209
S.E. Corner of Falls Rd. (Rte 25) and Hollins Lane
Existing Zoning: DR 5.5
Proposed Zoning: B.L.
Acres 1.5 District 9th

Dear Sirs:

The referenced property lies within a stable residential neighborhood of long standing. Approval of the proposed rezoning would be the start of the destruction of a most unique residential area which has always been a compliment to Baltimore County.

I have lived continuously at my residence at 6215 Falls Road for 37 years and wish to register my vigorous and emphatic opposition to the rezoning proposal.

Sincerely,

William H. Harrison
William H. Harrison

Rec'd. 10/2/86
J. Holman

1100 COPPER HILL ROAD
BALTIMORE, MARYLAND 21209

September 24, 1986

Baltimore County Board of Appeals
Room 200
Old Court House, Towson, Md. 21204

Re: Case # R-87-96 (Item 10 Cycle 3)
Property of Robert L. & Lenis D. Barney
6123 Falls Road (Rte 25) & Hollins Lane
Existing Zoning: DR 5.5
Proposed Zoning: B.L.
Acres: 1.5 District 9th

Sirs:

Hearing that the Barney lot at 6123 Falls Road in Baltimore County was about to be changed from "residential" to "commercial" was indeed a disturbing piece of news. We own & have lived very near the Barney lot on Copper Hill Road for 28 years. This area is definitely a part of the lovely residential area which adjoins the peaceful and unspoiled Robert E. Lee Memorial Park. Any industrial encroachment of this particular area would be unwanted & undesired. We respectfully request that the existing zoning of D.R. 5.5 for this area be retained.

Sincerely,

Mrs. Arthur U. Hooper

Rec'd. 10/2/86 2:15pm
J. Holman

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